

Translation

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)



Applicant's or agent's file reference N03006-PCT	<b>FOR FURTHER ACTION</b> See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/JP2003/002494	International filing date (day/month/year) 04 March 2003 (04.03.2003)	Priority date (day/month/year) 06 March 2002 (06.03.2002)
International Patent Classification (IPC) or national classification and IPC A44B 18/00, A44B 21/00		
Applicant YKK CORPORATION		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.

2. This REPORT consists of a total of 6 sheets, including this cover sheet.

☐ This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of \_\_\_\_\_ sheets.

3. This report contains indications relating to the following items:

- I ☒ Basis of the report
- II ☐ Priority
- III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV ☒ Lack of unity of invention
- V ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☐ Certain defects in the international application
- VIII ☐ Certain observations on the international application

Date of submission of the demand 07 July 2003 (07.07.2003)	Date of completion of this report 08 January 2004 (08.01.2004)
Name and mailing address of the IPEA/JP	Authorized officer
Facsimile No.	Telephone No.

# INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/JP2003/002494

## I. Basis of the report

### 1. With regard to the elements of the international application:\*

- ☒ the international application as originally filed
- ☐ the description:  
 pages \_\_\_\_\_, as originally filed  
 pages \_\_\_\_\_, filed with the demand  
 pages \_\_\_\_\_, filed with the letter of \_\_\_\_\_
- ☐ the claims:  
 pages \_\_\_\_\_, as originally filed  
 pages \_\_\_\_\_, as amended (together with any statement under Article 19  
 pages \_\_\_\_\_, filed with the demand  
 pages \_\_\_\_\_, filed with the letter of \_\_\_\_\_
- ☐ the drawings:  
 pages \_\_\_\_\_, as originally filed  
 pages \_\_\_\_\_, filed with the demand  
 pages \_\_\_\_\_, filed with the letter of \_\_\_\_\_
- ☐ the sequence listing part of the description:  
 pages \_\_\_\_\_, as originally filed  
 pages \_\_\_\_\_, filed with the demand  
 pages \_\_\_\_\_, filed with the letter of \_\_\_\_\_

### 2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item. These elements were available or furnished to this Authority in the following language \_\_\_\_\_ which is:

- ☐ the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of the translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

### 3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

### 4. ☐ The amendments have resulted in the cancellation of:

- ☐ the description, pages \_\_\_\_\_
- ☐ the claims, Nos. \_\_\_\_\_
- ☐ the drawings, sheets/fig \_\_\_\_\_

### 5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).\*\*

\* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rule 70.16 and 70.17).

\*\* Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/JP2003/002494

IV. Lack of unity of invention

1. In response to the invitation to restrict or pay additional fees the applicant has:

- ☐ restricted the claims.
- ☒ paid additional fees.
- ☐ paid additional fees under protest.
- ☐ neither restricted nor paid additional fees.

2. ☐ This Authority found that the requirement of unity of invention is not complied with and chose, according to Rule 68.1, not to invite the applicant to restrict or pay additional fees.

3. This Authority considers that the requirement of unity of invention in accordance with Rules 13.1, 13.2 and 13.3 is

- ☐ complied with.
- ☐ not complied with for the following reasons:

4. Consequently, the following parts of the international application were the subject of international preliminary examination in establishing this report:

- ☒ all parts.
- ☐ the parts relating to claims Nos. \_\_\_\_\_

## INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/JP 03/02494

## V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

## 1. Statement

Novelty (N)	Claims	6, 9, 12	YES
	Claims	1-5, 7, 8, 10, 11	NO
Inventive step (IS)	Claims	9	YES
	Claims	1-8, 10-12	NO
Industrial applicability (IA)	Claims	1-12	YES
	Claims		NO

## 2. Citations and explanations

Document 1: Microfilm of the specification and drawings annexed to the Japanese Utility Model Application No. 11032/1983 (Laid-open No. 1188409/1984) (Morito Co., Ltd.), 10 August 1984

Document 2: Microfilm of the specification and drawings annexed to the Japanese Utility Model Application No. 103846/1982 (Laid-open No. 8609/1984) (Morito Co., Ltd.), 20 January 1984

Document 3: Microfilm of the specification and drawings annexed to the Japanese Utility Model Application No. 177486/1984 (Laid-open No. 94521/1986) (Morito Co., Ltd.), 18 June 1986

Document 4: Microfilm of the specification and drawings annexed to the Japanese Utility Model Application No. 103002/1983 (Laid-open No. 108207/1985) (Makita Corporation), 23 July 1985

Document 5: JP 2000-157312 A (YKK Corporation), 13 June 2000

Document 6: JP 2001-78810 A (YKK Corporation), 27 March 2001

Document 7: JP 9-23907 A (YKK Corporation), 28 January 1997

The invention set forth in claims 1 and 2 is disclosed in newly cited documents 1 to 4 and documents 5 and 6 cited in the international search report, and therefore lacks novelty and does not involve an inventive step.

The invention set forth in claim 3 is disclosed in documents 5 and 6 (document 5, paragraph [0016] and document 6, paragraph [0024]) cited in the international search report, and therefore lacks novelty and does not involve an inventive step.

The invention set forth in claims 4 and 5 is disclosed in documents 5 and 6 cited in the international search report, and therefore lacks novelty and does not involve an inventive step.

The invention set forth in claim 6 does not involve an inventive step in the light of newly cited documents 2 or 4. The use of metal materials in the hard substrate set forth in document 2 or the fixing member (1) set forth in document 4 would merely constitute a selection of materials to a person skilled in the art.

The invention set forth in claim 7 is disclosed in document 6 cited in the international search report (document 6, paragraphs [0012] and [0036]), and therefore lacks novelty and does not involve an inventive step.

The invention set forth in claim 8 is disclosed in newly cited documents 1 and 4, and therefore lacks novelty and does not involve an inventive step.

The invention set forth in claim 9 is not disclosed in any of the documents cited in the international search

report, and would not be obvious to a person skilled in the art.

The invention set forth in claim 10 is disclosed in newly cited documents 1 to 4 and documents 5 and 6 cited in the international search report, and therefore lacks novelty and does not involve an inventive step.

The invention set forth in claim 11 is disclosed in newly cited documents 1, 3 and 4 and documents 5 and 6 cited in the international search report, and therefore lacks novelty and does not involve an inventive step.

The invention set forth in claim 12 does not involve an inventive step in the light of one of newly cited documents 1 to 4 or documents 5 or 6 cited in the international search report, and newly cited document 7. Document 7 sets forth a curtain or the like as an application for a hook-and-loop fastener. It would be easy for a person skilled in the art to select a curtain or the like as an application for the hook-and-loop fastener set forth in one of newly cited documents 1 to 4 or documents 5 or 6 cited in the international search report.